

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3864 of 2025

Arising Out of PS. Case No.-138 Year-2024 Thana- NOKHA District- Rohtas

Vivek Kumar Singh S/o Late Basawan Singh Village-Mujrar, P.S.-Nokha
(Dharampura O.P.), District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Choubey
For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 07-03-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Nokha (Dharampura O. P.) Police Station Case No. 138 of 2024, dated 10.04.2024, disclosing offences punishable under Sections 341/323/354-B/504/506/379/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 10.04.2024, while the goat of the informant was grazing in front of her house on her land, the petitioner arrived there, started abusing the informant that her got has grazed the vegetable land of the petitioner. It has been alleged that the petitioner has also torn the clothes of the informant, thereby outraged her modesty.



4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and a counter case has been lodged by the petitioner for an occurrence, which has taken place on the same date and time, alleging that while the goat of Ramautar Yadav, husband of the informant, was grazing in the vegetable land of the petitioner and the petitioner was trying to get the goat out from his vegetable land, the informant and other accused persons assaulted the petitioner by lathi, danda, rod etc., due to which he sustained fracture injuries on his hand and foot. The First Information Report lodged by the petitioner, bearing Nokha (Dharampura O.P.) Police Station Case No. 137 of 2024, is prior to the First Information Report lodged by the informant. The allegation of outraging the modesty of the informant is concocted and false.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that both the parties are co-villagers, case and counter case is there and the occurrence has taken place on the trivial issue of grazing the field by the goat, I am inclined to grant the petitioner privilege of anticipatory bail.



6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, Rohtas, at Sasaram, in connection with Nokha (Dharampura O.P.) Police Station Case No. 138 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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